

**PROPOSED VERDICT FORM FOR SANTOS HERNANDEZ**

**Did Michele Tizzano Employ the Plaintiff Santos Hernandez:**

Do you find by a preponderance of the evidence that Plaintiff Santos Hernandez was employed by Defendant Michele Tizzano?

Answer Yes or No

Regardless of your answer, answer all remaining questions:

**Overtime Wages**

Do you find, based on the burden-shifting explained to you by the Court as to hours worked and wages received by Plaintiff, that the Plaintiff worked more than 40 hours per week and was not paid time and a half for overtime hours as required by the Fair Labor Standards Act ("FLSA") and the New York Labor Law ?

Answer Yes or No

If you answered "Yes", Complete the following:

**HOURLY RATES**

Dates of Work		Total Weekly Compensation ("TWC")	Hourly Rate (TWC ÷ 40)
From	To		
/ /	/ /	\$ .	\$ .
/ /	/ /	\$ .	\$ .
/ /	/ /	\$ .	\$ .
/ /	/ /	\$ .	\$ .

**HOURS WORKED**

Dates of Work		Hours Per Week	OT Hours Per week (Hours Per Week – 40)
From	To		
/ /	/ /	.	.
/ /	/ /	.	.
/ /	/ /	.	.
/ /	/ /	.	.

### **NYLL Spread-of-Hours Wages**

Do you find, based on the burden-shifting explained to you by the Court as to hours worked and wages received by Plaintiff, that the Plaintiff worked a spread of hours in excess of 10 and was not Paid spread-of-hours wages required by the New York Labor Law ("NYLL")?

Answer Yes or No

If you answered "yes" complete the following:

#### **DAILY SPREAD OF HOURS**

Day	Beginning of Workday	End of Workday	Spread of Hours	Was Spread of Hours 10 or More? (if Yes, enter "1", if No, enter "0")
Monday	: am/pm	: am/pm		
Tuesday	: am/pm	: am/pm		
Wednesday	: am/pm	: am/pm		
Thursday	: am/pm	: am/pm		
Friday	: am/pm	: am/pm		
Saturday	: am/pm	: am/pm		
Days Per Week in Which Spread of Hours > 10 (total)				

#### **WEEKLY SPREAD OF HOURS**

Dates of Work		Days Per Week in Which Spread of Hours >10
From	To	
/ /	/ /	.
/ /	/ /	.
/ /	/ /	.
/ /	/ /	.

**PROPOSED VERDICT FORM FOR EMANUEL DEJESUS LIEVANO**

**Did Michele Tizzano Employ the Plaintiff Emanuel De Jesus Lievano:**

Do you find by a preponderance of the evidence that Plaintiff Emanuel DeJesus Lievano was employed by Defendant Michele Tizzano?

Answer Yes or No

Regardless of your answer, answer all remaining questions:

**Overtime Wages**

Do you find, based on the burden-shifting explained to you by the Court as to hours worked and wages received by Plaintiff, that the Plaintiff worked more than 40 hours per week and was not paid time and a half for overtime hours as required by the Fair Labor Standards Act ("FLSA") and the New York Labor Law ?

Answer Yes or No

If you answered "Yes", Complete the following:

**HOURLY RATES**

Dates of Work		Total Weekly Compensation ("TWC")	Hourly Rate (TWC ÷ 40)
From	To		
/ /	/ /	\$ .	\$ .
/ /	/ /	\$ .	\$ .
/ /	/ /	\$ .	\$ .
/ /	/ /	\$ .	\$ .

**HOURS WORKED**

Dates of Work		Hours Per Week	OT Hours Per week (Hours Per Week – 40)
From	To		
/ /	/ /	.	.
/ /	/ /	.	.
/ /	/ /	.	.
/ /	/ /	.	.

### **NYLL Spread-of-Hours Wages**

Do you find, based on the burden-shifting explained to you by the Court as to hours worked and wages received by Plaintiff, that the Plaintiff worked a spread of hours in excess of 10 and was not Paid spread-of-hours wages required by the New York Labor Law ("NYLL")?

Answer Yes or No

If you answered "yes" complete the following:

#### **DAILY SPREAD OF HOURS**

Day	Beginning of Workday	End of Workday	Spread of Hours	Was Spread of Hours 10 or More? (if Yes, enter "1", if No, enter "0")
Monday	: am/pm	: am/pm		
Tuesday	: am/pm	: am/pm		
Wednesday	: am/pm	: am/pm		
Thursday	: am/pm	: am/pm		
Friday	: am/pm	: am/pm		
Saturday	: am/pm	: am/pm		
Days Per Week in Which Spread of Hours > 10 (total)				

#### **WEEKLY SPREAD OF HOURS SUMMARY**

Dates of Work		Days Per Week in Which Spread of Hours >10
From	To	
/ /	/ /	.
/ /	/ /	.
/ /	/ /	.
/ /	/ /	.